

1 Amelia Massoumi aka Amelia Arellano Noriega Case No. 0232459

Atty Capata, Julian Eli (for Executor Anna M. Noriega)

Atty Moore, Susan L. (for Petitioner Maria J. Noriega de Torres)

Petition for Order Directing Personal Representative to Act; Alternatively to Appoint
the Public Administrator to Administer the Estate [Prob. C. 9613]

DOD: 8/2/1978		NEEDS/PROBLEMS/COMMENTS: <u>Continued to 6/12/12</u> at the request of the attorney. Note: This estate was opened in 1978. Letters issued 9/19/1978. There was no activity in this estate until September 2009 when Attorney Eli Capata substituted in as attorney of record. In November of 2009 the inventory and appraisal was filed showing the value of the estate (on the date of death) as \$40,000.00 (all real property).
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Reviewed by: KT		
Reviewed on: 5/9/12		
Updates:		
Recommendation:		
File 1 - Massoumi		

Status Re: Next Account

Age:			NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR.</u> Final account approved on 10/31/11.
DOD:			
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	Citation		
	FTB Notice		
Reviewed by: KT			
Reviewed on: 5/10/12			
Updates:			
Recommendation:			
File 2 - Thompson			

Atty Motsenbocker, Gary L. (for Thu Ryan – Sister – Petitioner)

Amended Petition for Appointment of Probate Conservator of the Person
(Prob. C. 1820, 182, 2680-2682)

Age: 43		<p>THU RYAN, Sister, is Petitioner and requests appointment as Successor Conservator of the Person with medical consent powers.</p> <p>NA LANDSEADAL, Sister, was appointed Conservator of the Person with medical consent powers on 11-1-96.</p> <p>Voting rights affected (previously addressed).</p> <p>Petitioner refers to a Capacity Declaration filed 10-29-96 in connection with the previous appointment.</p> <p>Petitioner states there is presently a conservatorship.</p> <p>Resignation of Conservator Na Landseadal was filed 3-21-12.</p> <p>Court Investigator Julie Negrete filed a report on 4-23-12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Court Investigator advised rights on 4-10-12.</u></p>	
DOB: 8-12-68				
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	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
<p>Reviewed by: skc</p> <p>Reviewed on: 5-9-12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 3A - Miller</p>				

(1) Tenth Account Current and Report of Conservator and (2) Petition for Allowance of Compensation to Conservator and Attorney

Age: 44 years DOB: 9/14/1967			PUBLIC GUARDIAN , Conservator, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
Account period: 11/1/10 – 10/31/11				
Cont. from 040912			Accounting - \$1,739,040.97	Reviewed by: KT Reviewed on: 5/10/12 Updates: Recommendation: File 4 - Lopez
	Aff.Sub.Wit.		Beginning POH- \$1,656,960.48	
✓	Verified		Ending POH- \$1,577,110.15	
	Inventory		Conservator - \$5,738.20	
	PTC		(27.75 Deputy hours @ \$96/hr and 40.45 Staff hours @ \$76/hr)	
	Not.Cred.		Attorney - \$1,000.00 (per Local Rule)	
✓	Notice of Hrg		Bond fee - \$4,120.78 (o.k.)	
✓	Aff.Mail	W/	Petitioner prays for an Order:	
	Aff.Pub.		1. Approving, allowing and settling the Tenth account.	
	Sp.Ntc.		2. Authorizing the conservator and attorney fees and commissions	
	Pers.Serv.		3. Payment of the bond fee	
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
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	Citation			
	FTB Notice			

Petition for Termination of Guardian

Age: 20 years DOB: 8/7/1991		<p>MARI ANN RUCCHIUTI, mother/guardian, is petitioner.</p> <p>Father: Not listed (deceased)</p> <p>Paternal grandfather: Deceased Paternal grandmother: Audra Underwood – served on 4/11/12 Maternal grandfather: Deceased Maternal grandmother: Frances Ricchiuti – personally served on 4/11/12</p> <p>Danielle Ricchiuti (ward) <i>consents and waives notice.</i></p> <p>Petitioner states the minor has attained the age of majority. The guardianship was established to enable the guardian to participate in litigation involving the minor's deceased father. The litigation was resolved after the minor became an adult, so the guardianship estate never had any assets.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>	
Cont. from 041012				
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			Reviewed by: KT	
			Reviewed on: 5/10/12	
			Updates:	
			Recommendation:	
			File 5 - Ricchiuti	

Atty Davidson, Thornton (for Petitioner Peter Vagnino, IV and Victoria Vagnino)
Atty Burnside, Leigh (for Respondent Harvey A. Armas – Co-Trustee)
Atty Thompson, Timothy (for Respondent Catherine Thompson – Co-Trustee)

Petition for Trust Accounting

Peter DOD: 4/17/2005	PETER VAGNINO IV and VICTORIA VAGNINO , grandchildren of trust settlors, are Petitioners.	NEEDS/PROBLEMS/COMMENTS: Page 6B is the Status Hearing Re: Settlement Agreement. Continued from 2/28/2012. Minute Order states Counsel advises the Court that the matter has settled and an agreement is being circulated. Counsel requests a continuance.																																																																										
Betty DOD: 12/14/2005	Petitioners filed on 8/10/2011 a Petition for Trust Accounting, stating as follows:																																																																											
Cont. from 092711, 112911, 012612, 022812	<ul style="list-style-type: none"> They are the grandchildren of original settlors Peter and Betty Vagnino, who executed the Declaration of Trust dated 5/16/00 ("2000" Trust" – <i>attached as Exh. A</i>); the 2000 Trust was in fact Settlor's Second Trust; Pursuant to the 2000 Trust, 40% is allocated to Co-Trustee Catherine Thompson ("Thompson"), 20% to Thompson's husband Anthony, and 20% to Thompson's son. The balance of assets are to be divided equally between the Petitioners (10% each); The 2000 Trust also name Thompson and Harvey Armas ("Armas") as successor trustees; On 4/17/05, Armas provided Petitioners' father, Peter Vagnino, III, and Analysis of Assets of settlor Peter Vagnino's assets, which purported to provide a compilation of assets, his community property interest, and the allocations to the By-Pass, Family, and Community Property (<i>attached as Exh. B</i>); Settlor Betty Vagnino died on 12/14/05; Settlors' Wills were filed with the Probate Court on 11/1/07, but the Settlor's 2000 Trust was not; On 12/11/06, Armas provided Peter Vagnino III and Analysis of Allocation of Betty Vagnino's estate (<i>attached as Exh. C</i>); The 2000 Trust's 1st Accounting was performed by the Dritsas, Broom, McCormick LLP ("McCormick") accounting firm, and was submitted on 1/8/08 (<i>1st Accounting attached as Exh. D</i>); 																																																																											
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;"></td> <td style="width: 40%;">Aff.Sub.Wit.</td> <td style="width: 50%;"></td> </tr> <tr> <td style="text-align: center;">✓</td> <td>Verified</td> <td></td> </tr> <tr> <td></td> <td>Inventory</td> <td></td> </tr> <tr> <td></td> <td>PTC</td> <td></td> </tr> <tr> <td></td> <td>Not.Cred.</td> <td></td> </tr> <tr> <td style="text-align: center;">✓</td> <td>Notice of Hrg</td> <td></td> </tr> <tr> <td style="text-align: center;">✓</td> <td>Aff.Mail</td> <td style="text-align: center;">w</td> </tr> <tr> <td></td> <td>Aff.Pub.</td> <td></td> </tr> <tr> <td></td> <td>Sp.Ntc.</td> <td></td> </tr> <tr> <td></td> <td>Pers.Serv.</td> <td></td> </tr> <tr> <td></td> <td>Conf. Screen</td> <td></td> </tr> <tr> <td></td> <td>Letters</td> <td></td> </tr> <tr> <td></td> <td>Duties/Supp</td> <td></td> </tr> <tr> <td></td> <td>Objections</td> <td></td> </tr> <tr> <td></td> <td>Video Receipt</td> <td></td> </tr> <tr> <td></td> <td>CI Report</td> <td></td> </tr> <tr> <td></td> <td>9202</td> <td></td> </tr> <tr> <td></td> <td>Order</td> <td style="text-align: center;">x</td> </tr> <tr> <td></td> <td>Aff. Posting</td> <td></td> </tr> <tr> <td></td> <td>Status Rpt</td> <td></td> </tr> <tr> <td></td> <td>UCCJEA</td> <td></td> </tr> <tr> <td></td> <td>Citation</td> <td></td> </tr> <tr> <td></td> <td>FTB Notice</td> <td></td> </tr> </table>		Aff.Sub.Wit.		✓	Verified			Inventory			PTC			Not.Cred.		✓	Notice of Hrg		✓	Aff.Mail	w		Aff.Pub.			Sp.Ntc.			Pers.Serv.			Conf. Screen			Letters			Duties/Supp			Objections			Video Receipt			CI Report			9202			Order	x		Aff. Posting			Status Rpt			UCCJEA			Citation			FTB Notice		<u>SEE ATTACHED PAGE</u>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Reviewed by: NRN / LEG</td> </tr> <tr> <td>Reviewed on: 5/10/12</td> </tr> <tr> <td>Updates:</td> </tr> <tr> <td>Recommendation:</td> </tr> <tr> <td>File 6A - Vagnino</td> </tr> </table>	Reviewed by: NRN / LEG	Reviewed on: 5/10/12	Updates:	Recommendation:	File 6A - Vagnino
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- In October 2009, Petitioners, through their Attorney, Mr. Davidson, requested another accounting; among Petitioners' questions was the appraised value of the Settlers' home, and the fact that Settlers' interest in Tornino's (their restaurant catering business) was improperly included among the trust assets;
- McCormick submitted a 2nd Accounting on 2/4/10; it was provided in two different versions to account for the differing values of Settlers' residence – otherwise the 2010 accountings were identical (*copies of the two accountings attached as Exh. E and F respectively*);
- On 5/26/10, Petitioners, through Attorney Davidson, corresponded with Armas' attorney and requested that Armas produce numerous documents and provide explanations of many disparities and unexplained trust distributions;
- Despite numerous letters on Petitioners' behalf, Armas has only produced tax returns, monthly banking statements and monthly brokerage account statements;
- Armas has been unwilling or unable to address the many pertinent issues concerning the Trust, including but not limited to:
 - a. Life Insurance Loan Paperwork – no legal documentation has been provided by Thompson and Armas; 2005 federal tax return shows this debt was never repaid (yet the debt is listed as a loss in two places in the trust accounting – as repayment of the loan);
 - b. Itemized Accounting of Administrative Expenses (including copies of invoices) – Thompson and Armas failed to provide copies of all invoices for the administrative expenses incurred from the time Thompson received power of attorney as well as documented proof of payment;
 - c. Itemized Accounting of Stocks/Securities in Schedule F – Cash on Hand – Thompson and Armas did not provide an itemized accounting of all stocks/securities allocated to Schedule F, and also failed to provide an itemized account of all monies transferred out of Schedule F;
 - d. Withdrawal of \$120,000.00 – Thompson and Armas failed to provide an adequate explanation of these withdrawals, which were originally allocated to settlers, then allocated to care giver expenses, then to administrative expenses, and finally to the "other" Wells Fargo Account that Thomas and Armas are now associating with the \$120,000.00; they have also failed to account for the dates the money was transferred into the account and all dates the money was transferred out, and what the funds were used for;
 - e. Thompson's and her husband's whereabouts after the sale of the residence – Renovations began on the Settlers' residence ("Bluff Residence") in January 2006, and Thompson sold her personal residence in March or April 2006 (deed recorded May 2006); Bluff Residence was never listed for sale and Thompson had sole physical possession of the home from the date of Betty Vagnino's death; Thompson and Armas contend Thompson and her husband lived in a hotel but had not provided proof of this from the date their personal residence was sold until they filed the Quit Claim Deed for the Bluff Residence;
 - f. "Gains of Sales" transferred out of Petitioners' accounts – Thompson and Armas have failed to provide an explanation as to why these gains on sales were transferred out of personal accounts; Schedule Ks never reflects these losses however;

SEE ATTACHED PAGE

Dept. 303, 9:00 a.m. Tuesday, May 15, 2012

Cont'd:

- g. Loss of \$47,048.00 – Thompson and Armas have failed to provide an explanation as to why there is a loss of \$47,048.00 in brokerage accounts between Armas' hand-written analysis and the 1st Accounting;
- h. Additional house appraisal - Thompson and Armas have failed to provide the additional house appraisal of \$1.1 M;
- i. Trust payment of \$3,500.00 for Tornino's appraisal – Thompson and Armas have failed to explain a trust payment for Tornino's appraisal when family interest in Tornino's was willed to Thompson and bypassed the 2000 Trust;
- j. Specific Stock information – Thompson and Armas have failed to provide information on the following: 1) May 1, 2006 dividends received from Wrigley (Class B); 2) May 30, 2006 dividends received from Arlema Spons ADR; 3) November 10, 2006 dividends received from Chunghwa Telecom Co.; 4) November 11, 2006 dividends received from Idearc, Inc.; and 5) April – July 2008 in interest received on Georgian Bank CD – there is no record for any of these assets being sold, the dates of sale, carrying value, whether sold at a loss or gain, and whether any of the items were used for Stock/Securities of Schedule F;
- k. The Residence – Thompson and Armas failed to provide an explanation for the following expenses incurred due to renovations that Thompson accepts responsibility for and that are part of the renovation (consist of home maintenance expenses, property taxed, cable, pool, pet control, AT&T, water delivery, etc.); clearly these expenses were not being paid to maintain an empty house;
- l. Caregiver Expenses - Thompson and Armas have failed to provide documentation to support caregiver expenses of \$73,500.00 incurred during a 7-8 month period;
- m. Debts of Decedent settlors – Thompson and Armas have failed to provide a complete listing of all debts of settlors on the 2005 Schedule K. Only a partial listing and all debts paid before the filing of the 2005 tax return was provided.

Petitioners request the Court issue an Order: 1) for a complete accounting of the 2000 Trust; 2) for removal of Thompson and Armas as Co-Trustees; 3) for costs of suit including reasonable attorney fees.

Note: This matter was before this Court on 8/19/2010 for: 1) Petitioner PETER VAGNINO III'S (Petitioners' father and Settlor's son, and also represented by Attorney Davidson) *First Amended Petition to Invalidate 2000 Amendment to Trust and Other Documents on Ground of Incapacity and Modification After Death, for Attorney Fees, Punitive Damages, for Breach of Trust and Conversion, to Remove Trustee and for Trust Accounting*, 2) Co-Trustee Armas' *Demurrer to First Amended Petition to Invalidate Amendment to Trust and Other Documents on Grounds of Incapacity and Modification after Death, for Attorney's Fees, Restitution, Punitive Damages, for Breach of Trust and Conversion, to Remove Trustee and for Accounting*, and for 3) Co-Trustee Thompson's *Demurrer to First Amended Petition to Invalidate Amendment to Trust and Other Documents*. The 8/19/10 minute orders indicate the Court continued the matters for ruling. It appears that prior to said ruling, Petitioner Vagnino III filed a *Request for Dismissal* on 9/30/2010, dismissing the entire action with prejudice.

Atty Davidson, Thornton (for Petitioner Peter Vagnino, IV and Victoria Vagnino)

Atty Burnside, Leigh (for Respondent Harvey A. Armas – Co-Trustee)

Atty Thompson, Timothy (for Respondent Catherine Thompson – Co-Trustee)

Status Hearing Re: Settlement Agreement

Peter DOD: 4/17/2005	PETER VAGNINO IV and VICTORIA VAGNINO , grandchildren of Trust settlors, filed on 8/10/2011 a <i>Petition for Trust Accounting</i> .	NEEDS/PROBLEMS/COMMENTS:
Betty DOD: 12/14/2005		
Cont. from		
Aff.Sub.Wit.	Minute Order dated 2/28/2012 , following several hearing continuances, states Counsel advises the Court that the matter has settled and an agreement is being circulated. Counsel requests a continuance. Matter continued to 5/15/2012.	<p>Note: Request for Dismissal of the entire action of all parties and all causes of action, with prejudice, was entered on 5/11/2012 as requested by Attorney Thornton Davidson.</p> <p>Note: Notice of Settlement of Entire Case was filed on 2/27/2012 by Attorney Thornton Davidson, indicating that the settlement is <u>Conditional</u> such that the settlement conditions dismissal of this matter on the satisfactory completion of specified terms that are not [sic] to be performed within 45 days of the date of the settlement; and indicates that a <i>Request for Dismissal</i> will be filed no later than 4/27/2012.</p>
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CI Report		
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Status Rpt		
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FTB Notice		
		Reviewed by: LEG
		Reviewed on: 5/10/12
		Updates: 5/11/12
		Recommendation:
		File 6B - Vagnino

Spousal Property Petition (Prob. C. 13650)

DOD: 6/3/2011		<p>GALINA MANOU, surviving spouse through her power of attorney Diane Rose Sirabian, is petitioner.</p> <p>Probate proceedings pending.</p> <p>Decedent died intestate.</p> <p>Petitioner states an undivided 9/10th interest in real property is the community property of the decedent and the surviving spouse pursuant to Court order dated 3/27/12.</p> <p>Petitioner requests court confirmation that $\frac{1}{2}$ interest in 9/10th of the real property located in Fresno County belongs to her and that $\frac{1}{2}$ interest passes to her.</p>	NEEDS/PROBLEMS/COMMENTS:	
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			Reviewed by: KT	
			Reviewed on: 5/10/12	
			Updates:	
			Recommendation: SUBMITTED	
			File 7 - Manou	

Age: 19	NO TEMPORARY REQUESTED	NEEDS/PROBLEMS/COMMENTS:
DOB: 7-2-92	PATSY ZUNIGA , Mother, is Petitioner and requests appointment as Conservator of the Person and Estate without bond.	
Cont. from 030612	Estimated Value of Estate: Unknown	<u>CONTINUED TO 6-26-12</u> Per request by Attorney Roberts
Aff.Sub.Wit.	Voting Rights affected	<u>Court Investigator advised rights on 2-15-12.</u>
✓ Verified X	A copy of a Capacity Declaration was filed 1-24-12. The Capacity Declaration of Nicholas J. Orme, MD, dated 11-22-11 supports medical consent powers.	<u>Voting rights affected-Need minute order.</u>
Inventory	Petitioner states the proposed conservatee was born with Down Syndrome and is unable to provide for her own physical health, clothing or shelter. She is unaware of the costs of shelter or food and does not have capacity to seek medical attention if needed. The paternal grandparents have been caring for her since she was two months old, but are now "getting up in years" and it is increasingly difficult for them to care for her.	<u>Continued from 3-6-12.</u>
PTC	Petitioner requests appointment as Conservator of the Estate without bond because she is a full time student and lacks the funds to post bond. Specifically, Petitioner requests the ability to administer any and all financial obligations and/or accounts in regards to the proposed conservatee's assets and debt, and for care, custody and control of all real property, if any, including the right to sell, convey, or transfer, or maintenance/collection of rents on rental property, if any.	<u>Minute Order 3-6-12:</u> Examiner notes are provided to counsel. The Court denies the Petition for Appointment of Conservator of the Estate and continues the Petition for Appointment of Conservator of the Person to 5/15/12. The Court orders that a court investigator contact all the parties for purposes of determining suitability.
Not.Cred.		<u>Note:</u> Petitioner resides in Modesto, CA. The proposed conservatee (Krishna) resides in Fresno with her paternal grandparents, Eddie and Linda Galaviz, who were formerly her legal guardians in Case #0522953.
✓ Notice of Hrg		<u>As of 5-9-12, nothing further has been filed. The following issues remain:</u>
✓ Aff.Mail W		<u>SEE PAGE 2, 3</u>
Aff.Pub.		Reviewed by: skc
Sp.Ntc.		Reviewed on: 5-9-12
✓ Pers.Serv. W		Updates:
✓ Conf. Screen		Recommendation:
✓ Letters		File 8A - Galaviz
✓ Duties/Supp		
Objections		
✓ Video Receipt		
✓ CI Report		
9202		
✓ Order	Court Investigator Samantha Henson filed a report on 2-29-12 and a Supplemental Report on 5-10-12. SEE PAGE 2.	
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✓ Citation		
FTB Notice		

NEEDS/PROBLEMS/COMMENTS (Continued):

1. Attorney Ben Roberts did not sign the Petition.

2. If Petitioner is seeking medical consent powers, need original Capacity Declaration.

Note: Petitioner does not request medical consent powers at 1.g. of the Petition. Petitioner states the original Capacity Declaration was filed in Stanislaus County and provides a copy; however, this Court may require an original.

If requested, the Court may also require amended petition and service on all parties of the additional request for medical consent powers.

3. Notice of Hearing filed 2-8-12 indicates the paternal grandparents (with whom Krishna resides) were served together rather than individually per Cal. Rule of Court 7.51(a)(1). The Court may require amended service.

4. Need proof of service of Notice of Hearing with a copy of the Petition at least 30 days prior to the hearing on the Regional Center pursuant to Probate Code §1822(e).

		<div>NEEDS/PROBLEMS/COMMENTS:</div> <div>Continued from 3-6-12</div> <div>CONTINUED TO 6-26-12</div> <div>Per request by Attorney Roberts</div> <div>CONFIDENTIAL</div> <div>Reviewed by: skc</div> <div>Reviewed on: 5-9-12</div> <div>Updates:</div> <div>Recommendation:</div> <div>File 8B – Galaviz</div>
Cont. from 030612		
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Notice of Hrg		
Aff.Mail		
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Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

Petition for Order Transferring Title to Real Property to Trust (Prob. C. 850, 17200)

		STEVEN WALDO and CAROLYN K. LARSEN , Co-Trustee's, are Petitioners. Petitioners state:	NEEDS/PROBLEMS /COMMENTS: CONTINUED FROM 04/09/12
Cont. from 040912		<ol style="list-style-type: none"> The SALLY S. KIMBLE TRUST was established by a revocable and amendable Declaration of Trust dated September 27, 2000 and was Amended and Restated on November 17, 2005, and further Amended on February 28, 2008 (the "Trust") by SALLY S. KIMBLE, ("Decedent" and/or "Settlor"), the Trustor and Trustee. Decedent died on August 19, 2011 a resident of Fresno County. Upon Decedent's death, the Trust became irrevocable. Decedent resigned as Trustee and Petitioners became Successor Co-Trustees on September 4, 2008. Petitioners are currently acting as successor trustees of the Trust. Petitioners and Wendy W. Harmstead are all the remainder beneficiaries of the Trust. On February 28, 2008, Decedent executed a will that leaves the residue of her estate to the Trust. Petitioners are nominated as Co-Executors of the will but no probate has been filed because all of Decedent's property is being administered by the Trust. Decedent executed the Restated Trust and Schedule A, Inventory & Assets of the Trust on November 17, 2005, which included on Schedule A – Personal Residence located at 3230 W. Alluvial, Fresno, CA 93711. The Trust, in Section 1.02 identifies the "Trust Estate" as "All property described in the attached Schedule A....." The First Amendment to the Trust dated February 28, 2008, executed concurrent with her will, contains the following language regarding Decedent's home: The primary asset contributed to the Trust is Settlor's home. Approximately two-thirds (2/3) of the funds used to purchase Settlor's homes since the death of Joseph C. Kimble, Carolyn K. Larsen's father, were obtained by Settlor from the Joseph C. Kimble Testamentary Trust established primarily for Settlor and Carolyn K. Larsen's benefit following Joseph C. Kimble's death in 1972. For that reason, at Settlor's death, a two-thirds (2/3) interest in the home held in the Trust shall pass, in substance, as called for under the terms of the Joseph C. Kimble Testamentary Trust, and more specifically, to the remainder beneficiary of that trust, to Carolyn K. Larsen. 	Reviewed by: JF Reviewed on: 05/10/12 Updates: Recommendation : File 9 - Kimble
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
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<input type="checkbox"/>	Video Receipt		
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<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
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<input type="checkbox"/>	FTB Notice		

Continued on Page 2

Further, the Amendment replaced section 5.02 of the Trust in its entirety with the following:

Section 5.02 Distribution of Remainder. Upon the death of the Settlor, the Trustee shall first distribute the sum of \$10,000.00 to each living child of the children of Settlor and shall distribute an undivided two-thirds (2/3) interest in the Home held, in trust, to Carolyn Kimble Larsen, or to her children by right of representation, should she fail to survive trust termination....."

9. Settlor's home, or any proceeds from the sale of the home, were to be included as a trust asset based on the wording of Section 1.02, the original Schedule A to the Trust, as well as the language in the First Amendment to the Trust executed February 28, 2008.
10. Settlor's personal residence at 3230 W. Alluvial was sold in 2005. On December 30, 2005, the proceeds from the sale were used to purchase a replacement residence located at 2170 W. Via Cipressi, Fresno, CA. However, Decedent mistakenly took title to 2170 W. Via Cipressi in her individual name and never formally deeded the property in the name of the Trust.
11. Decedent intended all of her property, including but not limited to, her interest in the Via Cipressi property to be treated as assets of the Trust. An instruction from the Court that Decedent's interest in certain real property held in Decedent's name at the time of her death constitutes an asset of the Trust is needed so that Petitioners, as Trustees, can carry out the various fiduciary responsibilities placed upon them by Decedent without creating uncertainty with respect to the 2170 W. Via Cipressi property.

Petitioners pray for an Order that:

1. Real property located at 2170 W. Via Cipressi, Fresno, CA 93711 is an asset of the Sally S. Kimble Trust, dated September 27, 2000;
2. Record of title to said real property is transferred from Sally S. Kimble to Carolyn K. Larsen and Steven Waldo as Co-Trustees of the Sally S. Kimble Trust, dated September 27, 2000.

10A Wilfred Carl Mell aka Wilfred C. Mell (Estate)

Case No. 12CEPR00225

Atty Burnside, Leigh W. (for Dale L. Mell – grandson/Petitioner)

Atty Krbechek, Randolph (for Dale G. Mell – son/competing Petitioner/Objector)

**Petition for Probate of Will and for Letters of Administration with Will Annexed;
Authorization to Administer Under IAEA (Prob. C. 8002, 10450)**

DOD: 05/29/09	DALE L. MELL , grandson, is Petitioner and requests appointment as Administrator with Will Annexed, with bond set at \$158,600.00.	NEEDS/PROBLEMS/COMMENTS: 1. The original Will has not been deposited with the Court. Need original Will pursuant to PrC § 8200. <u>Note:</u> The Court may require more information as to why the original Will has not been deposited and whether the original is available for deposit or if this proceeding may need to move forward as a Petition for probate of a lost or destroyed Will. <u>Note:</u> If granted, the Court will set status hearings as follows: <ul style="list-style-type: none">July 16, 2012 for proof of bond, if applicableOctober 15, 2012 for filing the Inventory & AppraisalOctober 15, 2013 for filing the first account of petition for final distribution
Cont. from 041612	In the alternative, the Petitioner requests appoint of the Public Guardian as Administrator with Will Annexed without bond.	
<input type="checkbox"/> Aff.Sub.Wit.	s/p	
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail	w/	
<input checked="" type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
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<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		

DALE L. MELL, grandson, is Petitioner and requests appointment as Administrator with Will Annexed, with bond set at \$158,600.00.

In the alternative, the Petitioner requests appoint of the Public Guardian as Administrator with Will Annexed without bond.

Full IAEA – ok

Will dated 02/07/02

Residence: Fresno
Publication: The Business Journal

Estimated Value of the Estate:
Personal property - Unknown
Real property - \$158,600.00
Total - \$158,600.00

Probate Referee: **RICK SMITH**

Declaration of Dale L. Mell Re: Attempts to Obtain Decedent's Original Will filed 04/11/12 states that Petitioner believes decedent's son, Dale G. Mell is in possession of decedent's original will. Petitioner states that he has tried on numerous occasions to obtain the original will from Dale G. Mell since decedent's death, but has not been able to do so. At one point, Dale G. Mell stated to Petitioner that he would provide the original will to the Petitioner, but has failed to do so.

Objections to: 1) Probate of Will; and 2) Appointment of Dale L. Mell as Administrator with Will Annexed filed by Dale G. Mell on 04/12/12 states: Objector is decedent's son and the named Executor in the purported will of decedent filed by the Petitioner and states that the Petition of Dale L. Mell should be denied because a) Petitioner has not submitted nor are there any allegations that an original will of decedent presently exists, b) Pursuant to Probate Code § 6124, there is a presumption that the testator destroyed the will with the intent to revoke it. This presumption affects the burden of producing evidence. Further, Petitioner should not be appointed as Administrator with Will Annexed because, as the named Executor and son of decedent, Objector has a superior right to appointment as Administrator of the estate.

Reviewed by: JF

Reviewed on: 05/10/12

Updates:

Recommendation:

File 10A - Mell

10A

Dept. 303, 9:00 a.m. Tuesday, May 15, 2012

10B Wilfred Carl Mell (Estate)

Case No. 12CEPR00225

Atty Burnside, Leigh W. (for Dale L. Mell – grandson/competing Petitioner/Objector)

Atty Krbechek, Randolph (for Dale G. Mell – son/Petitioner)

Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450) (as to Dale George Mell)

DOD: 05/29/09			DALE G. MELL , son/named Executor without bond, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
			Full IAEA – OK	1. The original Will has not been deposited with the Court. Need original Will.
Cont. from			Will dated 02/07/02	Note: The Court may require more information as to why the original Will has not been deposited and whether the original is available for deposit or if this proceeding may need to move forward as a Petition for probate of a lost or destroyed Will.
	Aff.Sub.Wit.	s/p		
✓	Verified		Residence: Fresno Publication: The Business Journal	Note: If granted, the Court will set status hearings as follows:
	Inventory			
	PTC		Estimated Value of the Estate: Personal property- Unknown Real property - \$158,600.00 Total - \$158,600.00	<ul style="list-style-type: none"> October 15, 2012 for filing the Inventory & Appraisal October 15, 2013 for filing the first account of petition for final distribution
	Not.Cred.			
✓	Notice of Hrg		Probate Referee: RICK SMITH	Reviewed by: JF
✓	Aff.Mail	w/		
✓	Aff.Pub.		Objection to Dale George Mell's Petition for Letters Testamentary and for Letters of Administration filed 05/09/12 by Dale L. Mell states: Objector filed a Petition for Letters of Administration with Will Annexed on 03/08/12. Dale L. Mell ("Dale L.") was informed and believed that Dale G. Mell ("Dale G."), is in possession of the decedent's original Will, knew he was the named executor in that Will and knew the decedent died in 2009; however, even after repeated requests to institute probate proceedings, Dale G. refused to lodge the original will with the court, refused to provide the original will to objector, and failed to petition the court to probate the decedent's estate. Objector submits that Dale G. has waived his right to serve as executor by his inaction, having ignored his duties and responsibilities as the nominated executor for nearly three years. At the hearing on 04/16/12 for objector's petition, Dale G. appeared and acknowledged that he is in possession of the original Will and stated that he would lodge the original Will with the court, but to date, has not done so. Further, Dale G. provides no explanation as to why he waited three years to file a petition to administer the estate and thus must be deemed as having waived his right to appointment as executor. Objector urges the Court to deny Dale G.'s petition and appoint Dale L. as Administrator with Will Annexed.	Reviewed on: 05/10/12
	Sp.Ntc.			
	Pers.Serv.		Objections	Updates:
	Conf. Screen			
✓	Letters		9202	Recommendation:
✓	Duties/Supp			
	Video Receipt		Order	File 10B - Mell
	CI Report			
	Aff. Posting		Aff. Posting	
	Status Rpt			
	UCCJEA		FTB Notice	
	Citation			

10B

Verified Petition to Appoint Successor Trustee of the Chima Childrens Trust (Prob. C. 15660)

BOBBY CHIMA and ROBBY CHIMA , beneficiaries of the trust, are petitioners.			NEEDS/PROBLEMS/COMMENTS: <u>Continued to 6/20/12</u> at the request of the attorney.
Petitioners state on 2/21/1995 Geneal Chima created and executed the Chima Family Trust.			
Pursuant to the Trust, Julie L. Fracas was the initial Trustee.			<ol style="list-style-type: none"> Need Notice of Hearing. Need proof of service of the Notice of Hearing on: <ol style="list-style-type: none"> Geneal Chima Lisa Mukai Rebecca Lynn Singh Probate Code §15602(a)(3) requires that a person appointed by the court as Trustee, who is not named in the trust instrument, be required to post a bond. The court may not excuse the requirement of a bond except under compelling circumstances. The Court will need to know the value of the trust assets in order to determine the amount of bond required. Need order.
On 9/10/1998, Julie L. Fracas resigned as Trustee.			
On 9/10/1998, the designated successor Trustee, Jill A. Leal declined to act and appointed Rebecca Lynn Singh as Successor Trustee.			
By letter dated 3/11/2009, Counsel for Rebecca Lynn Singh represented she never accepted the position of Successor Trustee, and advised that Ms. Singh never claimed to be the Successor Trustee.			
At all times since March 11, 2009, Lisa Mukai acted and continued to act as the Successor Trustee of the Chima Childrens Trust with the consent of the Petitioners, the sole beneficiaries.			
Petitioners state an action is pending in the Superior Court, Sutter County, brought by Robby Chima, Bobby Chima and Lisa Mukai, Trustee of the Chima Childrens Trust against Rebecca Lynn Singh and others alleging causes of action for Breach of Fiduciary Duty, Shareholder's Derivative Action, Accounting, Quiet Title, Cancellation of Instrument, Constructive Trust, Resulting Trust and Fraudulent Transfer claiming title to certain property as an asset of the Chima Childrens Trust. Trial in this action is scheduled for May 1, 2012 requiring appointment of a Successor Trustee to prosecute the action.			
Petitioners pray for an Order:			
<ol style="list-style-type: none"> Appointing Lisa Mukai as Successor Trustee of the Chima Childrens Trust. 			
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg	X	
<input type="checkbox"/>	Aff.Mail	X	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input type="checkbox"/>	Order	X	
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
Reviewed by: KT			
Reviewed on: 5/10/12			
Updates:			
Recommendation:			
File 11 - Chima			

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 7 years DOB: 5/12/2005		THERE IS NO TEMPORARY. No Temporary was requested.	NEEDS/PROBLEMS/COMMENTS:
		MARC FRANCIS BARRIE, maternal step-grandfather and KAY NORTH BARRIE, maternal grandmother, are petitioners.	1. Need declaration of due diligence for the father and paternal grandparents.
Cont. from		Father: UNKNOWN	2. Need Orders
	Aff.Sub.Wit.		
✓	Verified	Mother: JENNIFER KAY GARBER – personally served on 4/12/12.	3. Need Letters
	Inventory		
	PTC	Paternal grandparents: Unknown Maternal grandfather: Randy Gerber – served by mail on 4/9/12.	
	Not.Cred.		
✓	Notice of Hrg	Petitioners state they have been the minor's primary caregivers all of her life. Her mother has been around, but will go sometimes weeks without any contact. Mom is not a bad person she just is not in a position to give proper care to the minor.	
✓	Aff.Mail		
	Aff.Pub.	Court Investigator Dina Calvillo's Report filed on 5/8/12.	
	Sp.Ntc.		
✓	Pers.Serv.	W/	Reviewed by: KT
✓	Conf. Screen		
	Letters	X	Reviewed on: 5/10/12
✓	Duties/Supp		Updates:
	Objections		Recommendation:
	Video Receipt		File 12 - Gerber
✓	CI Report		
	9202		
	Order	X	
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		

Petition for Appointment of Probate Conservator of the Person and Estate
(Prob. C1820, 1821, 2680-2682)

Age: 83		<p align="center"><u>NO TEMPORARY REQUESTED</u></p> <p>JAMES P. STAICER, son, is Petitioner and requests appointment as Conservator of the Person and Estate with bond set at \$30,000.00.</p> <p><u>Estimated Value of the Estate:</u> Personal property - \$30,000.00 Annual income - 11,731.00 Total - \$41,731.00</p> <p>Petitioner states that the proposed conservatee suffers from advanced dementia and requires the full assistance from a full time nursing staff in a care facility. Further, the proposed conservatee is unable to perform basic financial management skills as a result of her advance dementia.</p> <p>Voting Rights Affected.</p> <p>Court Investigator Jennifer Daniel filed a report on 05/08/12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Court Investigator advised rights on 04/26/12.</p> <p>Voting rights affected. Need Minute Order.</p> <ol style="list-style-type: none"> Need Citation. Need proof of personal service of Citation along with a copy of the Petition for Appointment of Probate Conservator at least 15 days before the hearing. Note: Proof of service attached to Citation filed 05/14/12 is incomplete, it does not state the date and time that the Citation and copy of Petition was served on the proposed conservatee. Need Receipt confirming viewing of Conservatorship video by Petitioner. Petition requests that Bond be set at \$30,000.00; however, annual income and cost of recover should also be added into the bond amount. The Examiner calculates that bond should be set at \$45,904.10. Bond calculation worksheet is in the file for reference. Note: Petitioner indicates that the conservatee also owns real property in Costa Mesa, CA and petitioner plans to sell the property. Petitioner will need to seek court approval for the sale of conservatee's real property and bond may need to be increased upon consummation of a sale. Petitioner has filed a Capacity Declaration with Dementia Attachment; however, he has not requested Medical Consent or Dementia powers. If Petitioner is seeking medical consent and dementia powers, an amended or revised Petition will be needed. <p>Note: If Petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> July 16, 2012 for filing of the bond September 17, 2012 for filing of the I & A July 15, 2013 for filing the first account 	
DOB: 08/27/28				
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
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<input checked="" type="checkbox"/>	Citation	*		
<input type="checkbox"/>	FTB Notice			

**Petition for Appointment of Probate Conservator of the Person and Estate
(Prob. C. 1820, 1821, 2680-2682)**

Age: 89 DOB: 04/08/23 Cont. from <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:5%;"></td> <td style="width:85%;">Aff.Sub.Wit.</td> <td style="width:10%;"></td> </tr> <tr> <td>✓</td> <td>Verified</td> <td></td> </tr> <tr> <td></td> <td>Inventory</td> <td></td> </tr> <tr> <td></td> <td>PTC</td> <td></td> </tr> <tr> <td></td> <td>Not.Cred.</td> <td></td> </tr> <tr> <td>✓</td> <td>Notice of Hrg</td> <td></td> </tr> <tr> <td>✓</td> <td>Aff.Mail</td> <td>w/</td> </tr> <tr> <td></td> <td>Aff.Pub.</td> <td></td> </tr> <tr> <td></td> <td>Sp.Ntc.</td> <td></td> </tr> <tr> <td>✓</td> <td>Pers.Serv.</td> <td></td> </tr> <tr> <td>✓</td> <td>Conf. Screen</td> <td></td> </tr> <tr> <td>✓</td> <td>Letters</td> <td></td> </tr> <tr> <td>✓</td> <td>Duties/Supp</td> <td></td> </tr> <tr> <td></td> <td>Objections</td> <td></td> </tr> <tr> <td></td> <td>Video Receipt</td> <td>x</td> </tr> <tr> <td>✓</td> <td>CI Report</td> <td></td> </tr> <tr> <td></td> <td>9202</td> <td></td> </tr> <tr> <td>✓</td> <td>Order</td> <td></td> </tr> <tr> <td></td> <td>Aff. Posting</td> <td></td> </tr> <tr> <td></td> <td>Status Rpt</td> <td></td> </tr> <tr> <td></td> <td>UCCJEA</td> <td></td> </tr> <tr> <td>✓</td> <td>Citation</td> <td>*</td> </tr> <tr> <td></td> <td>FTB Notice</td> <td></td> </tr> </table>		Aff.Sub.Wit.		✓	Verified			Inventory			PTC			Not.Cred.		✓	Notice of Hrg		✓	Aff.Mail	w/		Aff.Pub.			Sp.Ntc.		✓	Pers.Serv.		✓	Conf. Screen		✓	Letters		✓	Duties/Supp			Objections			Video Receipt	x	✓	CI Report			9202		✓	Order			Aff. Posting			Status Rpt			UCCJEA		✓	Citation	*		FTB Notice		<p align="center"><u>NO TEMPORARY REQUESTED</u></p> <p>JAMES P. STAICER, son, is Petitioner and requests appointment as Conservator of the Person and Estate with bond set at \$30,000.00.</p> <p>Estimated Value of the Estate: Personal property - \$30,000.00 Annual income - 27,274.00 Total - \$57,274.00</p> <p>Petitioner states that the proposed conservatee suffers from advanced dementia and requires the full assistance from a full time nursing staff in a care facility. Further, the proposed conservatee is unable to perform basic financial management skills as a result of her advance dementia.</p> <p>Voting Rights Affected.</p> <p>Court Investigator Jennifer Daniel filed a report on 05/08/12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Court Investigator advised rights on 04/27/12.</p> <p>Voting rights affected. Need Minute Order.</p> <p>6. Need Citation.</p> <p>7. Need proof of personal service of Citation along with a copy of the Petition for Appointment of Probate Conservator at least 15 days before the hearing. Note: Proof of service attached to Citation filed 05/14/12 is incomplete, it does not state the date and time that the Citation and copy of Petition was served on the proposed conservatee.</p> <p>8. Need Receipt confirming viewing of Conservatorship video by Petitioner.</p> <p>9. Petition requests that Bond be set at \$30,000.00; however, annual income and cost of recover should also be added into the bond amount. The Examiner calculates that bond should be set at \$63,001.40. Bond calculation worksheet is in the file for reference. <u>Note:</u> Petitioner indicates that the conservatee also owns real property in Costa Mesa, CA and petitioner plans to sell the property. Petitioner will need to seek court approval for the sale of conservatee's real property and bond may need to be increased upon consummation of a sale.</p> <p>10. Petitioner has filed a Capacity Declaration with Dementia Attachment; however, he has not requested Medical Consent or Dementia powers. If Petitioner is seeking medical consent and dementia powers, an amended or revised Petition will be needed.</p> <p><u>Note:</u> If Petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> • July 16, 2012 for filing of the bond • September 17, 2012 for filing of the I & A • July 15, 2013 for filing the first account <p>Reviewed by: JF</p> <p>Reviewed on: 05/10/12</p> <p>Updates: 05/11/12; 05/14/12</p> <p>Recommendation:</p> <p>File 14 - Stacier</p>
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15A Ashlynn Petty, Autumn Petty & Adrianna Petty (GUARD/P)

Case No. 04CEPR00502

Atty Ruth-Heffelbower, Duane (pro per Petitioner/paternal grandfather)

Atty Ruth-Heffelbower, Clare Ann (pro per Petitioner/paternal grandmother)

Petition for Appointment of Guardian of the Person (Prob. C. 1510) (Autumn Petty)

Autumn age: 11 years DOB: 2/18/2001		TEMPORARY EXPIRES 5/15/12		NEEDS/PROBLEMS/COMMENTS:	
		DUANE RUTH-HEFFELBOWER and CLARE ANN RUTH-HEFFELBOWER,		This Petition is as to AUTUMN only.	
		paternal grandparents are petitioners.		Petitioners were previously granted guardianship of Ashlynn on July 15, 2004.	
Cont. from		Father: ANDREW RUTH-HEFFELBOWER		Page 15B is the guardianship of Adrianna filed by the maternal grandparents.	
	Aff.Sub.Wit.		– consents and waives notice.		
✓	Verified				
	Inventory		Mother: JAYE ELLINGTON PETTY RUTH-HEFFELBOWER		
	PTC				
	Not.Cred.				
✓	Notice of Hrg		Maternal grandfather: Donn Petty – consents and waives notice.	1. Need proof of <u>personal</u> service of the <i>Notice of Hearing</i> along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence on:	
✓	Aff.Mail	W/	Maternal grandmother: Cheryl Petty – consents and waives notice.	a. Jaye Ellington Petty Ruth-Heffelbower (mother) – mother was served by mail on 3/15/12. Probate Code §1511 requires personal service.	
	Aff.Pub.			2. Need UCCJEA	
	Sp.Ntc.		Petitioners state mom has been confined under W&I §5150 three time in the last 9 days. Petitioner's suspect drugs are involved considering her past history. The minor has been under great stress through this and previous erratic periods. Autumn was the ward of her maternal grandparents from 2004 to 2010.	3. Need Duties of Guardian	
	Pers.Serv.				
✓	Conf. Screen				
✓	Letters				
	Duties/Supp	X			
	Objections				
	Video Receipt				
✓	CI Report		Court Investigator Charlotte Bien's Report filed on 4/26/12.		
	9202			Reviewed by: KT	
✓	Order			Reviewed on: 5/10/12	
	Aff. Posting			Updates:	
	Status Rpt			Recommendation:	
	UCCJEA	X		File 15A - Petty	
	Citation				
	FTB Notice				

15A

15B Ashlynn Petty, Autumn Petty & Adrianna Petty (GUARD/P)

Case No. 04CEPR00502

Atty Petty, Donn, (pro per Petitioner/maternal grandfather)

Atty Petty, Cheryl (pro per Petitioner/maternal grandmother)

Petition for Appointment of Guardian of the Person (Prob. C. 1510) (Adrianna Petty)

Adrianna age: 7 years DOB: 2/25/2005	<u>Temporary Expires 5/15/12</u> DONN PETTY and CHERYL PETTY, maternal grandparents are petitioners. Father: ANDREW RUTH- HEFFELBOWER Mother: JAYE ELLINGTON PETTY RUTH-HEFFELBOWER Paternal grandfather: Duane Ruth-Heffellbower Paternal grandmother: Clare Ann Ruth-Heffellbower Petitioners state the child's mother is unable to care for her. The father has never been involved with her. Court Investigator Charlotte Bien's Report filed on 4/26/12.	NEEDS/PROBLEMS/COMMENTS: This Petition is as to ADRIANNA only. Page 15A is the guardianship of Autumn filed by the paternal grandparents. Ashlynn is currently under a guardianship with the paternal grandparents as her guardian. 4. Need Notice of Hearing 5. Need proof of <u>personal</u> service of the <i>Notice of Hearing</i> along with a copy of the petition or <i>Consent and Waiver of Notice</i> or <i>Declaration of Due Diligence</i> on: b. Andrew Ruth-Heffellbower (unless he is determined not to be Adrianna's father.) c. Nathan LeCompt (if he is determined to be Adrianna's father) d. Jaye Ellington Petty Ruth-Heffellbower (mother) 6. Need proof of service of the <i>Notice of Hearing</i> along with a copy of the petition or <i>Consent and Waiver of Notice</i> or <i>Declaration of Due Diligence</i> on: a. Paternal grandparents (parents of Nathan LeCompt, if Nathan is determined to be the father of Adrianna.) b. Duane Ruth-Heffellbower (if Andrew is determined to be the father of Adrianna) c. Clare Ann Ruth-Heffellbower (if Andrew is determined to be the father of Adrianna) 7. Petition lists Adrianna's father as Andrew Ruth-Heffellbower. The Court Investigator's Report states Nathan Le Compt is Adrianna's father. 8. Need UCCJEA 9. Need Duties of Guardian Reviewed by: KT Reviewed on: 5/10/12 Updates: Recommendation: File 15B - Petty
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg	X	
<input type="checkbox"/> Aff.Mail	X	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.	X	
<input checked="" type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp	X	
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input checked="" type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA	X	
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		

15B

Atty Kharazi, H. Ty, of Yarra Kharazi & Assoc. (for Cathy Dunn Chappel, Conservator of the Person)
 Atty Motsenbocker, Gary (for Public Guardian, Conservator of the Estate)

Petition for Allowance of Attorney Fees and Costs

Age: 77 years		<p>H. TY KHARAZI, Attorney for Conservator of the Person, CATHY DUNN CHAPPELL, is Petitioner.</p> <p>Petitioner states:</p> <ul style="list-style-type: none"> • He has been representing Ms. Chappel, daughter of the Conservatee, in this conservatorship matter; • On 12/30/2012, the PUBLIC GUARDIAN, Conservator of the Estate, filed its First Account of the Conservatee's estate; • Petitioner and Ms. Chappel discovered the account did not include rental property income and expenses; • After weeks of communication, Petitioner and Ms. Chappel were forced to file an objection to the account on 2/2/2012; because of those objections, a First Amended Account was filed by the Public Guardian on 2/22/2012, which was approved by the Court on 3/29/2012; • By virtue of Ms. Chappel's efforts, the Court has now received and approved an accurate account of the estate's income and expenses; much work needs to be done to secure an audit of the management company, which currently oversees the rental properties; • The objections were beneficial to the Conservatee and her estate; therefore, Petitioner requests an allowance of attorney fees and costs; • In order to determine the full nature of the Conservatee's assets, several letters and inquiries were prepared and served on the management company and other institutions; • Petitioner's total fees and costs advanced are \$3,384.60; this request is for services and Court costs associated with the filing and hearing on this petition; Petitioner's rate is \$225.00 per hour and requests payment for 10.10 hours for services rendered (<i>please refer to Exhibit A for itemization</i>); • Petitioner includes in a request for reimbursement of the filing fees of \$395.00 each for the objections [filed 2/2/2012] and this petition for fees and costs, and for \$0.10 per page for large copy jobs and \$0.15 per page for faxes. <p>Petitioner requests the Court approve his request for fees and costs.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Total amount Petitioner requests includes \$19.60 in costs for photocopies and faxing, which pursuant to Local Rule 7.17(B)(1) and (2) are non-reimbursable costs except when more than 10 persons are entitled to notice, which does not apply here. Proposed order has been altered to reflect a total fee award of \$3,365.00.</p>	
DOB: 2/27/1935				
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W/
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			

Petition for Appointment of Temporary Guardian of the Person (Prob. C. 1510)

Age: 3 years DOB: 3/3/2009		GENERAL HEARING 7/2/2012		NEEDS/PROBLEMS/COMMENTS:	
		AUDREY FRAZIER , maternal grandmother, is petitioner.		1. UCCJEA is incomplete. Need minor's residence information from 3/3/09 to 6/1/11.	
		Father: CURTIS SCOTT		2. Notice of Hearing does not indicate that it was served with a copy of the temporary petition as required.	
Cont. from		Mother: NADIA SHAMIS LOWE – personally served on 5/7/12.		3. Proof of service of the Notice of Hearing is incomplete. It does not include the name and address of the person serving the documents at #6.	
	Aff.Sub.Wit.			4. Confidential Guardian Screening form indicates at #3 that Petitioner has been charged with, arrested for, or convicted of a crime deemed to be a felony or a misdemeanor without explaining.	
✓	Verified			5. Confidential Guardian Screening form indicates at #10 that either the Petitioner or someone living in her home has been cared with, arrested for or convicted of a crime involving illegal substances or alcohol without explaining.	
	Inventory				
	PTC				
	Not.Cred.				
✓	Notice of Hrg				
	Aff.Mail				
	Aff.Pub.				
	Sp.Ntc.				
✓	Pers.Serv.		W/O		
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt				
	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
✓	UCCJEA				
	Citation				
	FTB Notice				
				Reviewed by: KT	
				Reviewed on: 5/10/12	
				Updates:	
				Recommendation:	
				File 17 - Scott	